

FILED  
CHARLOTTE, N. C.

JUN 2 2006

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

U. S. DISTRICT COURT  
W. DIST. OF N. C.

UNITED STATES OF AMERICA )  
 )  
 vs. )  
 )  
(3) ELTON RODRIGUEZ, )  
 )  
 Defendant. )  
\_\_\_\_\_ )

DOCKET NO. 3:05CR281-MU

ORDER FOR DISMISSAL

**THIS MATTER** comes before the Court on the Government's Motion to Dismiss Indictment. Under Rule 48(a) of the Federal Rules of Criminal Procedure, leave of Court is hereby granted for the dismissal *with* prejudice of the Bill of Indictment (as it pertains to **ELTON RODRIGUEZ** only) in the above-captioned case. As the available interpreters have already been released, trial in this case is hereby continued until the Government decides whether or not to proceed. Should the Government choose not to dismiss the indictment, the case will be rescheduled as soon as is reasonably feasible. The Government is ordered to inform the Court and defense counsel of its intentions by 10:00 AM on Monday, June 5, 2006. Any delay on the Government's part will not be considered excusable delay for the purposes of the Speedy Trial Act. 18 U.S.C. § 3161(h) (West, Westlaw through 1998 amendments).

**IT IS SO ORDERED.**

Signed: June 2, 2006

Signature Line  
  
United States District Court